

REMARKS

Claims 28-59 are pending in the present application. Claims 28-59 stand rejected. No claims have been amended and no new matter has been added.

I. REJECTIONS

A. Claims 28-59 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1 and 8 of U. S. Patent No. 6,330,625 and claims 1 and 8 of U.S. Patent No. 6,708,237. Attached herewith is a Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) disclaiming that portion of the term of any patent granted on the present application extending beyond the term of United States Patent Nos. 6,330,625 and 6,708,237. Applicants submit that the Terminal Disclaimer overcomes the double patenting rejection.

CONCLUSION

If the Examiner has any questions or comments, please contact the undersigned at the number listed below.

The Commissioner is authorized to charge any fees due in connection with the filing of this document to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7011323001. The Commissioner is authorized to credit any overpayment or to charge any underpayment to Bingham McCutchen's Deposit Account No. 50-2518, referencing billing number 7011323001.

Respectfully submitted,
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